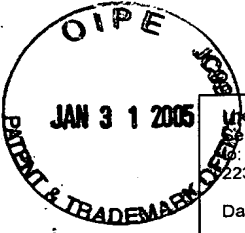


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DAC \$
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. ED181234584US, in an envelope addressed to: MS Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.
Dated: January 31, 2005 Signature: Andrea Silverman
(Andrea Silverman)

Docket No.: JJJ-P07-503
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Kuberasampath et al.

Confirmation No.: 5819

Application No.: 09/597,517

Art Unit: 1646

Filed: June 20, 2000

Examiner: E. Kemmerer

January 31, 2005

For: METHOD FOR REDUCING TISSUE
DAMAGE ASSOCIATED WITH ISCHEMIA-
REPERFUSION OR HYPOXIA INJURY

**REQUEST FOR RECONSIDERATION OF DECISION
AND
RENEWED PETITION UNDER 37 C.F.R. § 1.137(b)**

MS Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

This is a request for reconsideration of the Decision mailed January 18, 2005, dismissing the Petition filed on June 9, 2004 under 37 C.F.R. § 1.137(b).

The Decision states that the petitioner has two months from the mailing date of the Decision to request reconsideration of the petition. Accordingly, this Request for Reconsideration and Renewed Petition Under 37 C.F.R. § 1.137(b) have been timely filed.

The Decision states that the originally filed petition was not accompanied by the required reply. The Decision further states that "the Office computer database records fail to disclose the filing of a continuation application on or around the time of filing of the instant petition to revive." The Decision asks the petitioner to state the application number of the continuation application in order that a proper decision on the merits of this application may be given.

Petitioners respectfully submit that the Petition was accompanied by the filing of a reply in the form of a continuing application which was filed on June 9, 2004 – the same date the Petition was filed. The continuing application papers were included as Exhibit A of the Petition. The continuation application has received Application Serial No. 10/865,514. Attached as Exhibit A is a report, printed from the Patent Application Information Retrieval (“PAIR”) database, summarizing the filing and priority information for Application Serial No. 10/865,514.

In view of the above presented information, petitioners respectfully request reconsideration of the Decision, and the grant of the Petition Under 37 C.F.R. § 1.137(b), filed June 9, 2004, a copy of which is attached as Exhibit B.

The undersigned acknowledges that the address given in the Petition differs from the address of record. However, the undersigned respectfully submits that the address of record need not be changed, and that any correspondence mailed to the address of record will be received by the undersigned.

The Decision states that no further petition fee is required for the request for reconsideration. Accordingly, Petitioners believe that no fee is due. However, if a fee is due, please charge our Deposit Account No. 18-1945, from which the undersigned is authorized to draw, under Order No. JJJ-P07-503.

Dated: January 31, 2005

Respectfully submitted,

By 
Gloria Fuentes

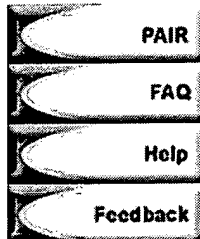
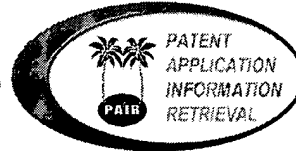
Registration No.: 47,580
ROPES & GRAY LLP
One International Place
Boston, Massachusetts 02110-2624
(212) 497-3624
(212) 841-5725 (Fax)
Attorneys/Agents For Applicant



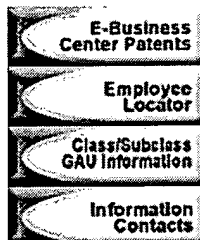
United States Patent and Trademark Office

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PATENT APPLICATION INFORMATION RETRIEVAL



Other Links



Search results for application number: 10/865,514			
Application Number:	10/865,514	Customer Number:	28120
Filing or 371(c) Date:	06-09-2004	Status:	Application Dispatched from Preexam, Not Yet Docketed
Application Type:	Utility	Status Date:	01-24-2005
Examiner Name:	-	Location:	ELECTRONIC
Group Art Unit:	1614	Location Date:	-
Confirmation Number:	6762	Earliest Publication No:	-
Attorney Docket Number:	JJJ-P08-503	Earliest Publication Date:	-
Class/ Sub-Class:	514/-	Patent Number:	-
First Named Inventor:	Thangavel Kuberasampath, Medway, MA	Issue Date of Patent:	-
Title Of Invention:	Morphogen-induced modulation of inflammatory response		

Select Search Option

File History

Image File Wrapper

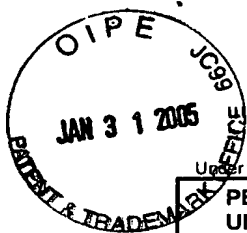
Publication Review

Search

Parent Continuity Data			
Description	Parent Number	Parent Filing or 371(c) Date	Parent Status
This application is a Continuation of	09/597,517	06-20-2000	Abandoned
Which is a Division of	08/445,467	05-22-1995	Patented
Which is a Continuation of	08/165,511	12-09-1993	Abandoned
Which is a Continuation of	07/938,336	08-28-1992	Abandoned
Which is a Continuation-in-part of	07/753,059	08-30-1991	Abandoned
Which is a Continuation-in-part of	07/667,274	03-11-1991	Abandoned
Which is a Continuation-in-part of	07/752,764	08-30-1991	Abandoned
Which is a Continuation-in-part of	07/667,274	03-11-1991	Abandoned
Child Continuity Data			

No Child Continuity Data Found.

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
JJJ-P07-503

First named inventor: Kuber T. Sampath

Application No: 09/597517

Art Unit: 1646

Filed: June 20, 2000

Examiner: E. Kemmerer

Title: METHOD FOR REDUCING TISSUE DAMAGE ASSOCIATED WITH ISCHEMIA-
REPERFUSION OR HYPOXIA INJURYMS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.The above-identified application became abandoned for failure to file a timely and proper reply to a notice or
action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration
date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

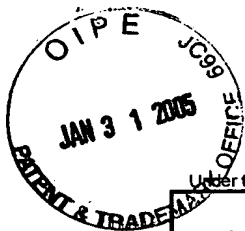
NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee☐ Small entity – fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status.
See 37 CFR 1.27.☒ Other than small entity – fee \$ 1,330.00 (37 CFR 1.17(m))**2. Reply and/or fee**A. The reply and/or fee to the above-noted Office action in
the form of a Continuation Application (37CFR 1.53(b)) (identify type of reply):☐ has been filed previously on _____☒ is enclosed herewith.

B. The issue fee of \$ _____

☐ has been paid previously on _____☐ is enclosed herewith.



3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☒ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ 110.00 for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Applicants note that this application is being revived for the purpose of filing a continuation application under 37 C.F.R. 1.53(b).

[NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

June 9, 2004
Date


Signature

Telephone
Number: (212) 497-3624

Gloria Fuentes - 47,580
Typed or printed name

ROPES & GRAY LLP
45 Rockefeller Plaza
New York, New York 10111-0087
Address

Enclosures: ☒ Fee Payment

☒ Reply (Continuation Application – Exhibit 1)

☒ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☐ Other: _____

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Dated: 6/9/04

Signature:  (Andrea Silverman)